

Eric Fryson

From: Michele Parks [mparks@sfflaw.com]
Sent: Monday, January 23, 2012 10:30 AM
To: Filings@psc.state.fl.us
Cc: Bart Fletcher; Hyma Vedula; Todd Brown; Martha Barrera; reilly.steve@leg.state.fl.us
Subject: {BULK} Docket No.: 110153-SU; Application of Utilities, Inc. of Eagle Ridge for an Increase in Wastewater Rates in Lee County

Importance: Low

Attachments: PSC Clerk 15 (Second Rev Justification Matrix).ltr.pdf

- a. Martin S. Friedman, Esquire
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- b. Docket No.: 110153-SU; Application of Utilities, Inc. of Eagle Ridge for an Increase in Wastewater Rates in Lee County
- c. Utilities, Inc. of Eagle Ridge
- d. 1 page letter; Second Revised Justification Matrix (2 pages)
- e. Filing a Second Revised Justification Matrix with regarding the confidential treatment of certain documents in connection with the Audit

MICHELE PARKS

Paralegal for Martin S. Friedman and Bridget M. Grimsley

PLEASE NOTE: Our changed firm name and email address.
Please update your contacts accordingly. Thank you.

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FRIEDMAN & FUMERO, LLP**
Attorneys | Counselors



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DOCUMENT NUMBER-DATE
00431 JAN 23 09
FPSC-COMMISSION CLERK



January 23, 2012

E-FILING

Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No.: 110153-SU; Application of Utilities, Inc. of Eagle Ridge for an Increase in Wastewater Rates in Lee County, Florida
Our File No. 30057.197

Dear Ms. Cole:

On December 19 and 21, 2011, we filed for confidential treatment of certain documents in connection with the Audit in this Docket. I have been advised by Hyma Vedula of the PSC auditing staff that the Memorandum of Closing documents for which confidentiality was sought was not part of the audit. Therefore, please return those documents to me. I have attached a second revised Justification Matrix to delete that document.

Please do not hesitate to contact me should you have any questions.

Very truly yours,

MARTIN S. FRIEDMAN
For the Firm

MSF/mp
Enclosure

cc: Ms. Hyma Vedula (w/enclosure) (via e-mail)
Mr. Bart Fletcher, Division of Economic Regulation (w/enclosure) (via e-mail)
Mr. Todd Brown, Division of Economic Regulation (w/enclosure) (via e-mail)
Martha Barrera, Esquire, Office of General Counsel (w/enclosure) (via e-mail)
Stephen C. Reilly, Associate Public Counsel (w/enclosure) (via e-mail)

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00431 JAN 23 2012
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SECOND REVISED JUSTIFICATION MATRIX

<p><u>Location</u> (Specific request w/page number)</p>	<p><u>Justification</u> <i>Please note: All information for which the Utility requests confidential treatment has been kept confidential by the Utility, and intends to keep such information confidential.</i></p>
<p>Workpaper 31-3 (All of amounts in the columns on pp. 4-7) (All of pp. 8-21)</p>	<p>§367.156(3)(a), §367.156(3)(b), §367.156(3)(d), §367.156(3)(e) These are the Utility's audited Consolidated Financial Statements prepared by its internal auditors, and constitute a report of the internal auditor and present the scope of the audit and origin of the auditors. These highly sensitive documents also contain confidential information that could be used to discern trade secrets, damage competitive interests, or harm the company's ability to contract for goods and services on favorable terms.</p>
<p>Workpaper 44-1/1-1 (The columns of salary information of pp. 1-9)</p>	<p>§367.156(3)(d) Disclosure of compensation data, overtime data and salary increase data would impair the ability of the Utility to contract for employees on favorable terms.</p> <p>§367.156(3)(e) Disclosure of the compensation data would impair the Utility's competitive interests as described in <u>Florida Power & Light Company et al. v. Public Service Commission</u>, 31 So. 3d 860 (Fla. 1st DCA 2010). The Utility keeps this information strictly confidential to prevent other utilities from stealing their employees and to prevent lowered morale and infighting among employees who have the same position but varying wages.</p> <p>Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the employee.</p>

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<p>Workpaper 44-1/1-1 (The columns of salary information of pp. 1-7)</p>	<p>§367.156(3)(d) Disclosure of compensation data, overtime data and salary increase data would impair the ability of the Utility to contract for employees on favorable terms.</p> <p>§367.156(3)(e) Disclosure of the compensation data would impair the Utility's competitive interests as described in <u>Florida Power & Light Company et al. v. Public Service Commission</u>, 31 So. 3d 860 (Fla. 1st DCA 2010). The Utility keeps this information strictly confidential to prevent other utilities from stealing their employees and to prevent lowered morale and infighting among employees who have the same position but varying wages.</p> <p>Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the employee.</p>
<p>Workpaper 44-1/4-1/1 (Benefits amounts on pp. 1-3)</p>	<p>§367.156(3)(d) These documents are Audit Staff's workpapers and notes detailing confidential compensation information. Disclosure of such compensation data, overtime data and salary increase data would impair the ability of the Utility to contract for employees on favorable terms.</p> <p>§367.156(3)(e) Disclosure of the compensation data would impair the Utility's competitive interests as described in <u>Florida Power & Light Company et al. v. Public Service Commission</u>, 31 So. 3d 860 (Fla. 1st DCA 2010). The Utility keeps this information strictly confidential to prevent other utilities from stealing their employees and to prevent lowered morale and infighting among employees who have the same position but varying wages.</p> <p>Article I, Section 23 of the Florida Constitution. Disclosure of the information would invade the privacy rights of the employee.</p>